

Minutes  
Catawba County Board of Commissioners  
Special Session, Monday, August 19, 2002, 4:30 p.m.  
Regular Session, Monday, August 19, 2002, 7:00 p.m.

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**Family Guidance Center**

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### **WPCOG**

Balls Creek Elementary School Wastewater Budget Ordinance and Agreement with Western Piedmont Council of Governments	421	08/19/02
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The Catawba County Board of Commissioners met in special session on Monday, August 19, 2002, 4:30 p.m., at the Catawba County Government Center, Second Floor Meeting Room located at 100A South West Boulevard, Newton, North Carolina. The purpose of the special meeting was for Tax Administrator Randy Moose to discuss with the Board the schedule of values he will be presenting at the September 3, 2002, regularly scheduled Board meeting.

Present were Chairman W. Steve Ikerd, Vice-Chair Marie H. Huffman, and Commissioners Katherine W. Barnes, Barbara G. Beatty, and Dan A. Hunsucker.

Absent: None.

A quorum was present.

Also present were County Manager/Deputy Clerk J. Thomas Lundy, Deputy County Manager Steven D. Wyatt, Assistant County Manager Mick W. Berry, County Attorney Robert Oren Eades, County Staff Attorney Debra Bechtel, and County Clerk Thelda B. Rhoney.

1. Welcome.

Chairman Ikerd called the meeting to order at 4:30 p.m. and said the purpose of the meeting was for Tax Administrator Randy Moose to discuss with the Board the schedule of values Mr. Moose will be presenting at the September 3, 2002, regularly scheduled Board meeting.

Mr. Ikerd welcomed Candidates Lynn Lail and Gerald Kamp.

2. Introduction of Revaluation Staff.

Tax Administrator Randy Moose introduced Revaluation Coordinator Bill Little, Assistant Assessor Joel Alexander, and Senior Appraiser Mark Logan and said they would be presenting the Purpose of Revaluations and the History of Revaluations in Catawba County.

3. REVALUATIONS – WHY AND FOR WHAT PURPOSE?

Mr. Moose gave a PowerPoint presentation with the following information:

Mandated by State Law

- G.S. 105-286 Time for general reappraisal of real property
- G.S. 105-283 Uniform appraisal standards
- G.S. 105-317 Appraisal of real property; adoption of schedules, standards and rules
- Uniformity and Equalization
- Rate of appreciation of real property unequal
- Fair distribution of tax burden

Revaluations in Catawba County, where we've been

Eight (8) year revaluation cycle

-1967

-1975

-1983

-1991

-1999

Revaluations in Catawba County, where we are

Adoption of four (4) year revaluation cycle

-GS 105-286(a)(2) Advancing Scheduled Octennial Revaluation

Why advance cycle?

-Reduces "sticker shock"

-Level of assessment with personal property more equitable

-Eliminates loss of revenue from public service companies (The County's revenue loss from 1991 until 1999 was almost \$2.3 million)

-More accurate forecasting of future tax base and tax rates

4. Revaluation Process/Formulation of Schedule of Values – Data Inventory

Revaluation Coordinator Bill Little gave the following portion of the presentation:

- Residential
  - Sales Verification Request Form
  - Building Inspection Permit Card
  - Residential Data Mailer Form
  - Residential Final Review Control Sheet
  - Residential Property Record Card (PRC)
  - Other Sources
- Commercial/Industrial
  - Sales Verification Request Form
  - Building Inspection Permit Card
  - Business Property Listing Form
  - Multi-family Data Mailer Form
  - Commercial/Industrial Data Mailer Form
  - Commercial/Industrial Construction Cost Form
  - Commercial/Industrial Final Review Control Sheet
  - Commercial/Industrial Property Record Card (PRC)
  - Other Sources

5. Revaluation Process/Formulation of Schedule of Values

- Neighborhood Delineation
- Define
  - Map
  - Purpose
  - Zoning Information
  - Map
  - Sources
- Analysis of All Land Sales
  - Residential
  - Commercial/Industrial
- Formulation of Cost Schedule
  - Residential
  - Commercial/Industrial
- Formulation of Income Schedule
  - Residential
  - Commercial/Industrial
- Formulation of Market Schedule
  - Residential
  - Commercial/Industrial
- Application of Schedules to Real Property File
- Cost
- Income
- Market/Sales Comparable
- International Association of Assessing Officers (IAAO) Appraisal Performance Tests
- Appraisal Levels and Uniformity
- Ratio Studies
- Final Review
  - Residential
  - Commercial/Industrial
- Final Ratio Study (There are a total of 82,000 parcels in Catawba County - 73,000 residential parcels and 9,000 commercial/industrial/exempt parcels.)

6. Formulation of the 2003 Schedule of Values.

Assistant Assessor Joel Alexander gave the following portion of the presentation:

2003 USE VALUE SCHEDULE OF VALUES (COMMERCIAL GROWING OF CROPS, ANIMALS AND TREES)

- Catawba County uses the Schedule of Values prepared by North Carolina Department of Revenue with assistance from North Carolina Cooperative Extension Service
- Schedule includes values for Agricultural, Forest and Horticultural land by soil type and class.
- Application process during month of January
- Qualifications
- Ownership
- Size
- Income
- Sound Management
- Audit process for compliance
- Questions

7. Revaluation Schedule.

Mr. Moose completed the PowerPoint presentation with the following information:

Upcoming Timeline for 2003 Revaluation

- Tuesday, September 3, 2002
- Formal presentation of the 2003 Schedule of Values, Standards, and Rules to the Board of Commissioners by the Assessor.
- Monday, September 16, 2002
- Board of Commissioners conduct Public Hearing on the Schedule of Values
- Monday, October 7, 2002
- Vote on formal adoption of the Schedule of Values by the Board
- Thursday, November 7, 2002
- Last day for taxpayer to appeal adoption of the Schedule of Values to the NC Property Tax Commission
- Week of November 18, 2002
- Mailing of new valuation notices to property owners
- Late November through December 2002
- Informal hearings before staff appraisers by property owners
- April, May and June 2003
- Board of Equalization and Review hearings
- Property owners have 30 days from the date the Board of Equalization and Review issues its decision to appeal to the NC Property Tax Commission. If still not resolved, appeals may be made to the NC Court of Appeals

Mr. Moose said in the near future there would be Revaluation web page: [www.co.catawba.nc.us](http://www.co.catawba.nc.us)

No action was taken.

After a brief question and answer session, at 5:40 p.m. by consensus of the Commissioners, the meeting adjourned.

The Catawba County Board of Commissioners met in regular session on Monday, August 19, 2002, 7:00 p.m., at the 1924 Courthouse, Robert E. Hibbitts Meeting Room, 30 North College Avenue, Newton, North Carolina.

Present were Chairman W. Steve Ikerd, Vice-Chair Marie H. Huffman, and Commissioners Katherine W. Barnes, Barbara G. Beatty and Dan A. Hunsucker.

Absent: None.

A quorum was present.

Also present were County Manager/Deputy Clerk J. Thomas Lundy, Deputy County Manager Steven D. Wyatt, Assistant County Manager Mick W. Berry, County Attorney Robert Oren Eades, County Staff Attorney Debra Bechtel, and County Clerk Thelda B. Rhoney.

1. Chairman Ikerd called the meeting to order at 7:00 p.m.
2. Invocation was offered by Commissioner Hunsucker.
3. Commissioner Huffman made a motion to approve the minutes from the regular session of Monday, August 5, 2002. The motion carried unanimously.

4. Special Guests:

Chairman Ikerd recognized Candidates Lynn Lail and Glenn Barger. He also recognized Gloria Hemphill, Hickory Public Schools Board of Education member.

5. Declare Sheriff's Deputies Kenneth B. Crouse, Frank Roberts and John W. Howard service side arms and badges as surplus pursuant to North Carolina General Statutes 20-187.2 and present same to them on the occasion of their retirement.

Commissioner Beatty made a motion to declare Sheriff's Deputies Kenneth B. Crouse, Frank Roberts and John W. Howard service side arms and badges as surplus pursuant to North Carolina General Statutes 20-187.2 and present same to them on the occasion of their retirement. The motion carried unanimously.

Chairman Ikerd and Sheriff L. David Huffman presented Sheriff's Deputies Kenneth B. Crouse, Frank Roberts and John W. Howard their service side arms and badges.

6. Public Hearings:

- a. Second Public Hearing for Community Development Block Grant in the Advent Crossroads Area.

Utilities & Engineering Director Barry B. Edwards, P.E., said the County has applied for a Community Development Block Grant to address the water needs of residents in the county known as the Advent Crossroads area. The identified area of need, the Advent Cross Roads Project, is estimated to cost \$1,126,276. The estimated cost associated with this project is increased by the need for a booster pump station and water storage tank required due to elevations in the Advent Crossroads area.

This project will provide much needed municipal water service to 51 homes benefiting primarily (91%) low-to-moderate income persons in an area that is affected not only by a receding water table and commonly found high iron levels in the ground water, but also ground water contamination from petroleum sources.

In 1989 ground water contamination was discovered at Advent Grocery in the project area. The contamination has a high concentration on the Advent Grocery property, but until recently, only minimal contamination was detected off-site. Methyl-tert-butyl ether (MTBE) and Benzene on-site were recently tested as high as 4,250 parts per billion (ppb) and 13,750 ppb respectively. Several homes have been abandoned and purchased by the petroleum company due to lack of potable water. In the past year, several other private wells have been found to contain gasoline contaminants, with MTBE levels from 8.4 ppb to 18 ppb. Dr. Ken Rudo of the Occupational and Environmental Epidemiology Branch of the Division of Public Health has recommended that the water at these

residences not be used for drinking, cooking, or bathing (more that 10 minutes in duration). These organic chemical contaminates pose a severe health hazard to those exposed.

In addition to contamination from gasoline components, many of the deep wells in the project area have high levels of iron. Though the iron levels are not unsafe for drinking, many of the homes in the area struggle with the problem and some have installed water softeners to reduce the iron level. Even with iron reduction these homes experience stained plumbing fixtures, stained laundry, and drinking water taste and odor problems.

Municipal water service will not only eliminate the imminent health hazard associated with organic chemical contamination, but will also provide much needed fire protection to the area. The County will commit a total of \$276,276 to this project, which consists of \$75,276 in waived tap fees, \$51,000 in waived County capital fees, and \$150,000 toward the water line construction for this project. The Public Works Subcommittee recommended that the Board of Commissioners hold a second public hearing regarding a Community Development Block Grant (CDBG) application to fund approximately \$850,000 to provide public water service to portions of the Advents Crossroads area.

**RESOLUTION NO. 2002-17**  
**Catawba County**  
**Authorizing Resolution And Certification**  
**For Community Development Block Grant**  
**Infrastructure Application Submission**

WHEREAS, various State and Federal agencies provide for funds to municipalities to meet the needs of local governments in financing the cost of eligible Community Revitalization projects which provide needed assistance to low and moderate income persons; and

WHEREAS, Catawba County will be the administering agent for the Community Development Block Grant Program; and

WHEREAS, Catawba County has committed \$150,000 toward the Advents Crossroads Water CDBG project and has waived \$75,726 of water tap fees and \$51,000 in capital fees.

WHEREAS, the Community Development Block Grant Funds are primarily designed to improve the living condition and environment of low to moderate income households; and

WHEREAS, Catawba County has solicited and received citizen input regarding the Community Development Block Grant Infrastructure Water project which will provide water service to 51 homes as part of the grant.

NOW, THEREFORE, BE IT RESOLVED BY THE CATAWBA COUNTY COMMISSIONERS:

That Catawba County will substantially comply with all Federal, State and local laws, rules, regulations and ordinances pertaining to the project and to Federal and State grants pertaining thereto.

That, W. Steve Ikerd, Chair, and successors so titled is hereby authorized and directed to furnish such information as the appropriate governmental agencies may request in connection with such applications for the project; to make the assurances and certifications as contained above, and to execute such other documents as may be required in connection with the construction of the project.

That this Resolution shall take effect immediately upon its adoption.

Adopted this 19th day of August, 2002.

/s/ W. Steve Ikerd, Chairman  
Catawba County Board of Commissioners

/s/ County Clerk

Chairman Ikerd opened the public hearing by saying this was the time and place as advertised for the public hearing and asked if anyone wished to speak either for or against.

Barry Benfield, 3611 Old Shelby Road, said there are a lot of elderly people in that area, and the water is contaminated with high concentrations of iron. He spoke in favor of getting water to the Advent area.

Martin Franklin, 3360 Old Shelby Road spoke in favor. He said they were also negotiating building a fire department in the Advent area.

There being no one else wishing to speak, Chairman Ikerd closed the public hearing.

Commissioner Barnes made a motion to approved approve the Second Public Hearing for Community Development Block Grant in the Advent Crossroads Area and to adopt the resolution. The motion carried unanimously.

b. Closeout Public Hearing for Water Hookup, Community Development Block Grant.

Utilities & Engineering Director Barry B. Edwards, P.E., said Catawba County was awarded a \$75,000 Infrastructure Hook-Up Demonstration Grant, which provided taps and water connections for low-to-moderate income households. As part of the closeout requirements, a public hearing must be held in order to receive public comment and closeout the project. The grant has been completed. All of the CDBG funds have been optimized and expended. A total of 33 households received municipal water from this grant. Staff recommended that the Board of Commissioners hold a public hearing regarding the closeout of the \$75,000 Community Development Block Grant (CDBG), 2001 Infrastructure Hook-Up Demonstration Grant, #01-C-0813, which provided water taps and connections for low-to-moderate income households. CDBG/Federal regulations require a public hearing at the close of grant projects.

Chairman Ikerd opened the public hearing by saying this was the time and place as advertised for the public hearing and asked if anyone wished to speak either for or against.

There being no one wishing to speak, Chairman Ikerd closed the public hearing.

Commissioner Barnes made a motion to approved approve the Closeout Public Hearing for Water Hookup, Community Development Block Grant. The motion carried unanimously.

c. Proposed name of Blueberry Lane for an unnamed road located in Catawba Township off Murrays Mill Road.

E-911 Technician Beth Setzer said the goal of the County's E-911 Office is to assign individual E-911 numbers to all dwellings located in Catawba County. To be able to assign these individual numbers, all streets or driveways, driveways being 1200 feet or longer and/or accessing three or more parcels, must be named in order to establish a numbering range. This driveway meets the requirements for the naming process. A petition, signed by the property owner of all four parcels accessed via this unnamed driveway, was received and found to be valid according to County's regulations. There are residential structures on three of the four parcels. E-911 has reviewed the proposed name and found it to be non-duplicate, so a public hearing has been duly advertised for this meeting regarding the proposed name. The Planning Board at its July 29, 2002, meeting unanimously approved the proposed name of Blueberry Lane for an unnamed driveway off Murrays Mill RD in Catawba Township and recommended its approval by the Board of Commissioners.

Chairman Ikerd opened the public hearing by saying this was the time and place as advertised for the public hearing and asked if anyone wished to speak either for or against.

There being no one else wishing to speak, Chairman Ikerd closed the public hearing.

Commissioner Beatty made a motion to approved approve the name of Blueberry Lane for an unnamed road located in Catawba Township off Murrays Mill Road. The motion carried unanimously.

d. Rezoning request of Charles F. Connor Jr. and Jean H. Connor to rezone a 2.99 acres tract and a portion of a 1.1 acres tract from R-2 Residential to C-1 Commercial in the Mountain Creek Township.



Zoning Administrator Donna C. Jones said the applicant is requesting to rezone approximately 2.99 acres tract of land and a portion of an approximately 1.10 acres tract from R-2 Residential to C-1 Commercial. A portion of the 1.10 acres tract included in this request is already zoned C-1 Commercial and the applicant wishes to rezone the remainder of this tract in addition to the 2.99 acres tract.

These properties are located in the Mountain Creek at 9247 Sherrills Ford Road in Terrell near the intersection of Sherrills Ford Road (State Road #1848) and NC Highway 150. They are further identified with Parcel I.D. numbers 4617-09-15-5301 and 4617-09-15-8265.

The properties located immediately on each of the four corners of this intersection are zoned C-1 Commercial. All other properties around these tracts are zoned R-2 Residential. One of the commercial tracts on the northeast corner of this intersection has a convenience store located on it and the other commercial tract on this corner is vacant. The commercial property on the southeast corner of the intersection has a post office and a recreational vehicle sales business located on it. The commercial property on the southwest corner of this intersection is still being used for residential purposes. A portion of the 1.10 acres tract (located on the northwest corner of the intersection) included in this request is already zoned C-1 Commercial and is where the old general store is located. There are two real estate offices located in the old general store.

Sherrills Ford Road is designated as a minor collector road on Catawba County's Thoroughfare Plan. These routes generally serve intra-county travel rather than statewide travel. The 1999 traffic count on Sherrills Ford Road near this intersection 3,300 vehicle trips per day. According to the Catawba County Thoroughfare Plan, Sherrills Ford Road has a road carrying capacity of 8,200 vehicle trips per day.

N.C. Highway 150 is designated as a minor arterial road. This system, in conjunction with the principal arterial roads, forms a network that links cities, larger towns, and other major traffic generators. According to the Catawba County Thoroughfare Plan, Highway 150 has a road carrying capacity of 9,900 vehicle trips per day. The 1999 traffic count near the intersection of NC Hwy. 150 and Sherrills Ford Road is 13,000 vehicle trips per day east of this intersection and 10,000 vehicle trips per day west of this intersection.

*VisionQuest 2010: Catawba County's Comprehensive Plan* designates this area as a "Limited Transition Area". Limited Transition Areas have many of the characteristics of Transition Areas, such as limited water or sewer service or planned road improvements. Limited Transition Areas, however, are not located adjacent to municipalities. They typically can be found in areas of the County near crossroad communities or along NC Highway 150 with developing commercial and residential growth. The following Land Use & Development policies apply to this request:

Policy 1.12 Plan for growth in an orderly, compact fashion throughout the County that will minimize urban sprawl and "leap frog" development.

Policy 1.15 Address compatibility between land uses when making land use decisions.

Policy 1.20 Encourage development at appropriate major intersections within the Developed, Transition and Limited Transition Areas (sometimes called "nodal development") and discourage land use changes that lead to "strip" development patterns with multiple driveways.

Policy 1.30 Linear "stripping" of offices and retail establishments along thoroughfares shall be discouraged in favor of planned office parks or planned clusters of retail/office development with common access, parking, signage, etc.

Policy 1.32 Encourage retail and office uses to locate in designated areas well served by public infrastructure, especially adequate road capacity.

Policy 1.33 Encourage retail and office uses in areas located on an arterial, a major thoroughfare or major collector and in areas where turning movements are safe and interparcel access is available.

Policy 1.36 Neighborhood commercial development should be located along collector streets, and should be near other neighborhood facilities such as schools and parks, and integrated into the neighborhood design they are intended to serve.

Policy 1.38 Identify specific “activity centers” at major intersections as the desired location for non-farm related commercial and industrial development.

Policy 1.39 Encourage retail and office uses to be designated so that they are compatible with surrounding development and separated from residential neighborhoods by the use of buffering or “step-downs” in use and intensity.

The Catawba County Zoning Ordinance, Section 515.021 C-1 Commercial District states: “The C-1 District is intended to provide land for the sale of convenience goods and limited personal services to residents of the immediate neighborhood. These districts shall be located at intervals of at least one mile along arterials and collector streets, preferably at intersections.” This request is compatible with the Catawba County Comprehensive Plan. This request is conducive to the orderly, compact growth that is encouraged by the County’s plan. The Land Use Plan from the Sherrills Ford Small Area Planning Committee has not been adopted yet. However, this committee has identified this particular intersection as a “village” center. Based on the committee’s recommendations, this area would include a mixture of commercial, office and mixed-residential uses. Based on this information, staff recommended the rezoning of this property from R-2 Residential to C-1 Commercial. The Planning Board voted unanimously for a favorable recommendation to the Board of Commissioners for this request. The Board excused Mr. Charles Connor, III from voting on this matter since it involves his father’s property.

Chairman Ikerd opened the public hearing by saying this was the time and place as advertised for the public hearing and asked if anyone wished to speak either for or against.

There being no one wishing to speak, Chairman Ikerd closed the public hearing.

Commissioner Hunsucker made a motion to approved approve the Rezoning request of Charles F. Connor Jr. and Jean H. Connor to rezone a 2.99 acres tract and a portion of a 1.1 acres tract from R-2 Residential to C-1 Commercial in the Mountain Creek Township. The motion carried unanimously.

e. Zoning ordinance amendments addressing wood waste grinding operations.

Zoning Administrator Donna C. Jones said the Board of Commissioners is requested to hold a public hearing to consider amendments to the Catawba County Code, Chapter 515, Zoning Ordinance: Sections 515.004 Definitions, 515.090- Supplemental Regulations, 515.155 Special Uses and Table 515-1 Schedule of Permitted and Permissible Uses by District.

The Catawba County Board of Commissioners at its July 8, 2002, meeting heard discussion and concerns from grading and landscape contractors regarding the problems they are experiencing disposing of land clearing debris. They stated that a great deal of their work is in the northeast and northwest areas of the county and the Blackburn Landfill is located too far away from these sites.

The Board of Commissioners unanimously approved a motion to direct staff to research Wood Waste Grinding Operations and subsequently prepare ordinance amendments for this use.

Staff proposes the following amendments to allow Wood Waste Grind Operations - Permanent as a Special Use in the R-2 and R-3 Residential District and add Special Use standards under Section 515.198, to allow Wood Waste Grinding Operation - Temporary Off-Site as a permitted use in all zoning districts when developed under Supplement Regulation 515.108, to allow Wood Waste Grinding Operation - Temporary On-Site as a permitted use by right in all zoning jurisdictions, and Wood Waste Grinding Operation - Commercial and Industrial as a permitted use in the C-2 Commercial, E-1 and E-2 Industrial Districts to be developed under Supplement Regulation 515.109. Also amend Section 515.004 Definitions by adding a definition for each type of wood waste grinding operation and Table 515-1 Schedule of Permitted and Permissible Uses by District to add each type of operation. Staff referenced North Carolina Division of Environment and Natural Resources rules and regulations and North Carolina General Statutes when preparing these amendments.

Staff recommended the above amendments be approved to establish development standards and zoning districts that Wood Waste Grinding Operations can be operated either as a special use or permitted use in Catawba County's zoning jurisdiction. The Planning Board unanimously approved the following amendments:

**ORDINANCE NO. 2002-07**

**An Amendment To Catawba County Code, Chapter 515, Zoning Ordinance: Sections 515.004 Definitions; 515.198 Wood Waste Grinding Operation - Permanent; 515.108 Wood Waste Grinding Operations – Temporary Off-Site; 515.109 Wood Waste Grinding Operations – Commercial and Industrial; and Table 515-1 Schedule of Permitted and Permissible Uses by District**

**BE IT ORDAINED** by the Board of Commissioners of Catawba County:

SECTION 515.004 DEFINITIONS TO ADD THE FOLLOWING:

**Wood Waste Grinding Operation - Permanent:** A facility that receives primarily organic wastes to be treated or processed for recycling or reuse in soil-plant related industries including activities such as grinding or chipping land clearing debris, high carbon nitrogen and yardwaste. Such operation would be in existence for a period greater than six (6) months.

**Wood Waste Grinding Operation - Temporary - Off Site:** A facility that receives primarily organic wastes to be treated or processed for recycling or reuse in soil-plant related industries including activities such as grinding or chipping land clearing debris, high carbon nitrogen and yardwaste. Such operation would be in existence for a period of six (6) months or less. The materials that are processed are received from locations other than the grinding site.

**Wood Waste Grinding Operation - Temporary - On Site:** A facility that receives primarily organic wastes to be treated or processed for recycling or reuse in soil-plant related industries including activities such as grinding or chipping land clearing debris, high carbon nitrogen and yardwaste. Such operation would be in existence for a period of six (6) months or less. The materials that are processed must be from the location of the grinding site.

**Wood Waste Grinding Operation - Commercial & Industrial:** A facility located in the C-2 Commercial, E-1 or E-2 Industrial District that receives primarily organic wastes to be treated or processed for recycling or reuse in soil-plant related industries including activities such as grinding or chipping land clearing debris, high carbon wood waste, nitrogen yardwaste, and untreated and unpainted pallets or construction wood waste into mulch or boiler fuel.

Add Special Use standards for a permanent Wood Waste Grinding Operation as follows:

**515.198 Wood Waste Grinding Operation - Permanent**

The following standards shall be used in deciding an application for this use:

- (A) The minimum lot size shall be 5 acres.
- (B) Grinding operations shall have direct access to a collector or arterial street as shown on the corresponding thoroughfare plan. However, the Board of Adjustment may approve a grinding operation on a secondary NCDOT State-maintained road where the Board finds that the road is of sufficient width and quality. All grinding operations shall have an approved driveway permit from the North Carolina Department of Transportation.
- (C) All traffic areas, including entrances and exits, within the area of operation shall be graveled or covered with a similar dust reduction material. Storage areas for mulch, dirt, wood waste or other similar materials need not be graveled.
- (D) No grinder, screener, or other similar equipment shall be located within 500 feet of any residential dwelling with the exception of the owner's or applicant's own residential dwelling. The site plan must include a footprint demonstrating where the equipment will be located in relation to dwellings locating on adjoining properties.

(E) Any grinder, screener, or similar equipment must be set back at least 100 feet from the property lines. Any mulch, dirt, wood waste, or other similar material stored on the property must be located at least 50 feet from any property or road right-of-way lines.

(F) No grinders, screeners, loaders, dozers, or other similar equipment shall be operated at the site except between 8:00 a.m. and 5:00 p.m. Monday through Friday; however, wood waste may be delivered to the site until 6:00 p.m. Monday through Friday, provided such deliveries are made by self-dumping trucks and the materials are not moved from the dumping point other than between 8:00 a.m. and 5:00 p.m. Monday through Friday. Wholesale and retail sales are allowed between 8:00 a.m. and 5:00 p.m. Monday through Friday. The Board of Adjustment may approve hours of operation other than those set forth above.

(G) The retention of existing vegetation shall be maximized to the extent practicable to buffer the operation from adjoining property and road rights-of-way and to serve as a noise and dust barrier. Where vegetation does not exist, a combination of a berm and landscaped buffer to achieve an initial screen of ten feet must be installed which will achieve 75% opacity within two years.

(H) The grinding operation must comply with any applicable regulations enforced by the North Carolina Department of Environment and Natural Resources. These include, but may not be limited to, those laws under the Divisions of Waste Management and Air Quality. Copies of all materials submitted to the State, either as part of a notification or a permit application, shall be submitted to the County.

Add Supplemental regulations for the Temporary Off Site operation as follows. These would be used for staff approval.

**515.108      Wood Waste Grinding Operations – Temporary Off-Site**

Staff may approve an application for this use subject to the following standards:

(A) A temporary off-site grinding operation shall be located at the permitted site for a period not to exceed six months from the date of staff approval. The site must be cleared of all by-products remaining from the grinding operation no later than six months from the date of the expiration of the Permit. No applicant may apply for a temporary off-site grinding permit for a period of at least 12 months following the expiration of a permit located at the same site.

(B) The minimum lot size shall be 1 acres. However, if there is not existing mature vegetation to serve as a buffer and a noise and dust barrier, the minimum lot size shall be 5 acres.

(C) Grinding operations shall have direct access to a collector or arterial street as shown on the corresponding thoroughfare plan. However, staff may approve a grinding operation on a secondary NCDOT State-maintained road where staff finds that the road is of sufficient width and quality. All grinding operations shall have an approved driveway permit from the North Carolina Department of Transportation.

(D) All traffic areas, including entrances and exits, within the area of operation shall be graveled or covered with a similar dust reduction material. Storage areas for mulch, dirt, wood waste or other similar materials need not be graveled. Upon completion of the permitted grinding operations, the site shall be seeded with grass or other ground cover.

(E) No grinder, screener or other similar equipment shall be located within 250 feet of any residential dwelling with the exception of the owner's or applicant's own residential dwelling. The site plan must include a footprint demonstrating where the equipment will be located in relation to dwellings locating on adjoining properties.

(F) Any grinder, screener, or similar equipment must be located a minimum of 50 feet from any property or road right-of-way lines. Any mulch, dirt, wood waste, or other similar material stored on the property must also be located a minimum of 50 feet from any right-of-way or property lines.

(G) No grinders, screeners, loaders, dozers, or other similar equipment shall be operated at the site except between 8:00 a.m. and 5:00 p.m. Monday through Friday; however, wood waste may be delivered to the site until 6:00 p.m. Monday through Friday, provided such deliveries are made by self-dumping trucks and the materials are not moved from the dumping point other than between 8:00 a.m. and 5:00 p.m. Monday through Friday. Wholesale and retail sales are allowed between 8:00 a.m. and 5:00 p.m. Monday through Friday. Staff may approve hours of operation other than those set forth above.

(H) The grinding operation must comply with any applicable regulations enforced by the North Carolina Department of Environment and Natural Resources. These include, but may not be limited to, those laws under the Divisions of Waste Management and Air Quality. Copies of all materials submitted to the State, either as part of a notification or a permit application, shall be submitted to the County.

**515.109      Wood Waste Grinding Operations – Commercial and Industrial**

Staff may approve an application for this use subject to the following standards:

(A)      The minimum lot size shall be 2 acres.

(B)      Grinding operations shall have direct access to a collector or arterial street as shown on the corresponding thoroughfare plan. However, staff may approve a grinding operation on a secondary NCDOT State-maintained road where staff finds that the road is of sufficient width and quality. All grinding operations shall have an approved driveway permit from the North Carolina Department of Transportation.

(C)      All traffic areas, including entrances and exits, within the area of operation shall be graveled or covered with a similar dust reduction material. Storage areas for mulch, dirt, wood waste or other similar materials need not be graveled.

(D)      No grinder, screener or other similar equipment shall be located within 500 feet of any residential dwelling with the exception of the owner's or applicant's own residential dwelling. The site plan must include a footprint demonstrating where the equipment will be located in relation to dwellings locating on adjoining properties.

(E)      Any grinder, screener, or similar equipment must be located a minimum of 50 feet from any property or road right-of-way lines. Any mulch, dirt, wood waste, or other similar material stored on the property must also be located a minimum of 50 feet from any right-of-way or property lines.

(F)      Retention of existing vegetation shall be maximized to the extent practicable to buffer the operation from adjoining property or road rights-of-way and to serve as a noise and dust barrier. Where vegetation does not exist, a combination of a berm and landscaped buffer to achieve an initial screen of ten feet must be installed which will achieve 75% opacity within two years.

(G)      The grinding operation must comply with any applicable regulations enforced by the North Carolina Department of Environment and Natural Resources. These include, but may not be limited to, those laws under the Divisions of Waste Management and Air Quality. Copies of all materials submitted to the State, either as part of a notification or a permit application, shall be submitted to the County.

**TABLE 515-1: SCHEDULE OF PERMITTED AND PERMISSIBLE USES BY DISTRICT****Legend****X = Permitted Principal Uses****A = Special Use Approved by  
Board of Adjustment****Y = Permitted Accessory Uses****R = Rezoning Process****Blank = Prohibited Use**

**(1)** Five or more nonresidents; **(2)** Maximum number of residents is 12; **(3)** In existing manufactured home parks only; **(4)** Maximum number of residents is 5; **(5)** Only for uses permitted in the district; **(6)** When catering to industrial clients; **(7)** Excluding the open storage of wrecked cars; **(8)** May include open storage as permitted for junkyards; **(9)** In existing manufactured home parks, on existing lots of record, and family subdivision lots; **(10)** Administration approval subject to supplemental regulations in 515.101.

Use	R-1	R-2	R-3	O-I	C-1	C-2	C-3	E-1	E-2	See Section
Wood waste grinding operation – commercial and industrial						X		X	X	515.109
Wood waste grinding operation – permanent		A	A							515.198
Wood waste grinding operation – temporary off-site	X	X	X	X	X	X	X	X	X	515.108
Wood waste grinding operation – temporary on-site	X	X	X	X	X	X	X	X	X	
Wooden box factories - Mfg.								X	X	
Woodworking shops - Mfg.							X	X	X	
Zoos		A				X	X	X	X	515.194

(Ord. passed 3-20-1989; Am. Ord. passed 9-17-1990; Am. Ord. passed 11-18-1991; Am. Ord. passed 12-16-1991; Am. Ord. 7-20-1992; Am. Ord. passed 2-15-1993; Am. Ord. passed 5-3-1993; Am. Ord. passed 6-5-1995; Am. Ord. passed 3-18-1996; Am. Ord. passed 5-6-1996; 12-1-1997, Am. Ord. passed 9-17-2001, Am. Ord. Passed 6-17-2002)

This 19<sup>th</sup> day of August, 2002.

/s/ W. Steve Ikerd, Chairman  
Catawba County Board of Commissioners

Chairman Ikerd opened the public hearing by saying this was the time and place as advertised for the public hearing and asked if anyone wished to speak either for or against.

Michael Padgett, 3941 - 54th Avenue NE, said he agrees with recycling. He said he lives 200 feet from the pilot wood waste project and disagrees where it is allowed to operate in R-2 districts. It creates a lot of dust and he had to wash his house down four times in the past year. He said the dust from the pilot project mixed with rain creates acid rain. Burning no longer occurs in the pilot project. He questions what it does to property values in the area where they are located. He is out of work and trying to sell his house and can't because of the pile of mulch located across from his house. He recommended that the proposed ordinance be amended and limit proximity to R-1 districts.

Ms. Jones said before a special use permit could be issued, the Board of Adjustment would look at general and specific standards and hold a public hearing.

There being no one else wishing to speak, Chairman Ikerd closed the public hearing.

Commissioner Huffman made a motion to approve the wood waste grinding ordinance as recommended by the Planning Board. The motion carried unanimously.

- f. Mountain View Small Area Plan. (Copy of the maps are on file in the Office of Planning and Development Director.)

Ms. Debbie Pitts, Chairperson of the Mountain View Small Area Plan Committee presented the Plan. She said she was excited to make the presentation and welcomed everyone from the Mountain View community. She also thanked staff for working on the plan.

She recognized her committee: Steve Von Drehle, Planning Board Liaison, Paul Fleetwood, Larry Johnson, Jeanette Ringley, and Wade Scronce. She said two former members, Carroll Lackey and Donald McSwain no longer live in Mountain View.

Ms. Pitts gave the following PowerPoint presentation:

The Small Area Plan: A Citizen-Based Process

Plan to address seven issues:

1. Land use and community design
2. Transportation
3. Community facilities and public services
4. Housing
5. Economic development
6. Natural resources
7. Cultural resources

Determining the Issues: Community Input Meeting

- First community input meeting in June 2000 (over 175 people attended)
- Community concerns helped determine which issues the community wanted reflected in the Mountain View Small Area Plan

Determining the Issues: Community Input Meeting

-Key Concerns:

- annexation by Hickory
- preservation of rural character (especially Bakers Mountain)
- commercial development along NC 172
- increased residential development standards

2<sup>nd</sup> Citizen Input Meeting: Reviewing the Draft Plan

In November 2001, 170 citizens attended a meeting to review and comment on the draft plan recommendations

Key Citizen Comments on Draft Plan:

- Increase minimum lot size in higher-density areas
- Retain current school capacity requirements
- Concern over bike routes conflicting with car traffic
- Support for more R-1 zoning
- Support for preserving Bakers Mountain

Public Input and Review

- Committee reviewed public comments received from November 2001 community review meeting.
- Final plan completed and subsequently approved by MVSAP Committee - December 10, 2001
- Planning Board public hearing - February 25, 2002
- Joint work sessions with Planning Board and Committee – March 11 and April 22, 2002
- Planning Board second public hearing and recommendation to Board of Commissioners – May 20, 2002

Board Review and Public Hearing Notices

- Board of Commissioners and Planning Board joint work session on review of plan – June 17, 2002
- Planning Board and Board of Commissioners public hearings advertised by four ¼ page block ads in Hickory Daily Record
- Letters sent to 180 attendees of past community public meetings
- Homebuilders Association notice
- Press releases, cable channel notices and internet web site

High Density Residential Development

- High residential density, is defined as half-acre lots without public water or 15,000 sq. ft. lots with public water

Low Density Residential Development

- Low residential density, shown in green, is defined as two acre lot sizes
- Clustering with open space preserved along road frontage

Recommendations for Residential Zoning Districts

- Proactive residential rezoning
- About 54% of the Mountain View SAP (3,378 parcels) is proposed for rezoning from R-2 (all residential types) to R-1 (stick-built homes only)

New Residential Development Standards

- Landscaping and/or berms required for privacy and aesthetics
- Sidewalks required along major thoroughfares

Recommendations for Commercial Development

- Commercial corridor along NC 127
- Neighborhood commercial node at NC 127 and NC 10 (Propst Crossroads)
- Rural commercial node at Advent's Crossroads
- Support existing mixed use area at U.S. 321-River Road interchange (allows commercial, multi-family, office-institutional uses) as identified in the adopted Hwy. 321 Corridor Plan
- Industrial uses only at northeast quadrant of U.S. 321-River Road interchange consistent with the Hwy. 321 Corridor Plan

Bakers Mountain

- Preserve rural character
- Minimize environmental impacts of development

Plan Recommendations for Bakers Mountain

- Moratorium on development in order to draft ordinance to protect Bakers Mountain
- Restrict new development above the 1,100-foot contour line (base of Bakers Mountain) to a minimum 5-acre lot size
- Development above 1,100-foot contour line subject to a vegetation-clearing plan
- Obtain local NC bill to prohibit clear-cutting of mountain

Recreation/Open Space

- Connection between Bakers Mountain Park and Henry Fork Regional Park

What happens after the plan is adopted?

- Plan is a desired course of action
- Implementation process over next 12 months
- Implementation involves:
  - Rezoning public hearings
  - Zoning and Subdivision Ordinance amendments – public hearings
  - Evaluation of current policies
  - Requests for special legislation
  - Presentation of road requests to N.C. Department of Transportation

Commissioner Beatty asked Ms. Pitts if she had talked with legislators. Ms. Pitts said no that she wanted to present the plan to the Board of Commissioners first.



Commissioner Hunsucker thanked the committee for all the work on the plan and asked who determined that septic would or would not work on Bakers Mountain with less than 5 acres. That was the only problem he had with it being too restrictive.

County Planner Mary George and Ms. Pitts said Environmental Health recommended 3 to 5 acres on the septic issue.

Mr. Steve Von Drehle said regarding the 5 acre requirement, at first the committee was recommending no development on the mountain which affected seven property owners and that is how they went from total moratorium to a 5 acre lot requirement. He said planning staff and Staff Attorney Debra Bechtel said that would not hold up in court. He said the committee felt the 2 to 5 acre requirement would satisfy the wants and needs of as many as possible to minimize development on the mountain and allow property owners some development rights. He said when the Long Family sold property to the county it was agreed that the Longs could build a tower on the mountain and that should stand.

Commissioner Barnes asked Ms. Pitts what they were seeing with the decreasing water table are how were the wells holding up in the Mountain View Area.

Ms. Pitts said there is a huge need for water in their area. She lives on 5 acres and she had to drill a 600 foot well after her well went dry. She said she is too far off the road to hook onto water.

Commissioner Barnes asked how much of the higher density is already designated and how much is open area currently.

Ms. George said the total vacant residential acreage in the high density area is 1,360 acres and there is 3,098 acres zoned residential in tracts of at least 4 acres which equals almost 5,000 acres.

Commissioner Hunsucker said for example in Gatlinburg, Tennessee the hills are full of houses but you don't see them as they are hidden by vegetation.

Mr. Von Drehle said anything was possible with enough money.

Chairman Ikerd said the Small Area Plans can continue to be tweaked and future boards could make changes.

County Attorney Robert Oren Eades said the Small Area Plan is the basis upon which the Board will make zoning decisions in the future as outlined in the committee's presentation, and the next step is to draft zoning ordinances to implement these policies and put these proposed ordinances before the Board for consideration. The plan is the blueprint for all of those considerations to come in the future. He explained it is a fundamental requirement of zoning law that zoning ordinances be based on a comprehensive plan. For the Mountain View Small Area, this plan will be the comprehensive plan. If there are items the Board is concerned about in the plan they need to address those now rather than waiting until they get to the zoning implementation stage. In other words, the zoning decisions are to reflect the plans and the Board needs to make certain that the plan does in fact seem prudent to the Board and implement the policy decisions the Board has made. Having said that, if the Board gets into the process and it determines that the plan does not do the things the Board wants it to do, the Board can come back and change the plan, but the better practice is to make certain that the plan reflects the Board's public policy in the beginning.

Chairman Ikerd said it is not irreversible on an item in the plan.

Mr. Eades said that is correct.

Chairman Ikerd thanked everyone throughout Catawba County who had worked on all the small area plans as they had contributed a tremendous number of hours.

Commissioner Barnes asked Ms. Pitts and Ms. George if there was any discussion of farmland preservation in this plan.

Ms. George said they talked a lot about open space and preservation which could be incorporated into the cluster subdivision. They also talked about transfer of development rights and that would be a

voluntary program for someone in a rural area who worked with someone who owns property in higher density section. The people in a low density area could sell the rights to people in a high density area and preserve the land permanently. She said beyond that there is very little farm activity in this particular area but more in the Balls Creek and Sherrills Ford areas.

Commissioner Barnes said the Board has discussed moratoriums in the past and that is not something that would stand the test. She asked Legal Counsel if they saw other issues in the desires of the community that could pose potential problems in the long term.

Mr. Eades said he had a long list of things he wanted to talk about, not so much because he thinks each of them could pose problems but because it is important for the record to reflect that the Board was aware of various issues and it had an opportunity to think about them and to discuss them.

He addressed the moratorium issue first. In June, the United States Supreme Court decided a case regarding zoning moratoria and it held that in the proper circumstances those were legitimate land use planning tools. He thinks the teaching is that if you have a moratorium that is limited in time, that is tied to a clear public purpose, and that does not effect an absolute taking of property rights, that it is okay. He said that the Mountain View Small Area Plan recommended adoption of a moratorium to maintain the status quo around Bakers Mountain pending the adoption of the zoning ordinances which will implement the Small Area Plan. The Board has the authority to adopt a moratorium of a limited duration and he thinks planning staff suggests six months. If the Board adopts a moratorium both Mr. Eades and the planning staff believe the Board needs to advertise its consideration of a moratorium and hold a public hearing on that subject. After having thought about this issue, Mr. Eades said he was inclined to believe the better practice would be to not adopt a moratorium, but rather direct planning staff to proceed as quickly as possible to present to the Board a proposed zoning ordinance pertaining to Bakers Mountain.

As regards other issues Mr. Eades said zoning must be based upon a comprehensive plan. Each of the SAP Committees will produce a comprehensive plan for their area. The Board will then be called upon to adopt zoning ordinance which will implement the plan. Those ordinances will cover a great variety of matters: Subdivision design; public facilities location; billboards/other sign restrictions; and basic land use provisions such as density or lot size requirements and the permitted uses on any given parcel of property.

He said in reviewing this plan, the Board must understand it is adopting the rules which will guide future zoning decisions for this area. If the plan contemplates the enactment of zoning ordinances the Board believes to be unwise or unnecessary, it should not adopt the plan until the plan addresses the Board's concerns. For example, the plan provides "additional industrial zoning should not be encouraged around Fred T. Foard High School and Jacobs Fork Middle School."

He told the Board they were aware there are existing industrial uses in this area. If you adopt this plan and one of those existing uses later requests a rezoning for expansion, it would be difficult to grant that request. That outcome may be good or bad (that is a policy decision) but he wants to be certain the Board understands the way in which this plan will affect the future land use decisions.

He said the plan also calls for the Board to release the school capacity requirement. He said as you recall, Catawba County adopted in 1999 a Strategic Growth Plan. In part that Plan provided for the Small Area Plan process and consideration of available school capacity in land use planning.

He said the 1999 Plan also called for certain portions of its provisions to be temporary, pending completion of the Small Area Plan process.

He said we are now at the end of the first Small Area Plan process. Given that, it is appropriate, as the Mountain View Small Area Plan provides that within the Mountain View Area the Board release the school capacity requirement as put into place in the 1999 Strategic Growth Plan.

Mr. Eades said the Mountain View Small Area Plan also calls for significant rezonings in the Mountain View area. In general, these rezonings will direct higher density growth to particular areas, will adopt low density (2 acre lots) for much of the Mountain View area, (rezoning 54 percent) and will direct manufactured housing to particular areas within the Mountain View area, consisting of approximately 38 percent (roughly 7,500 acres) of the entire Mountain View area. The plan also contemplates that

the Board will rezone areas around Bakers Mountain to 5 acre lots and impose regulations pertaining to lot clearing.

He said the Board clearly has the legal authority to enact such rezonings. This authority is statutorily granted and the Board has very broad discretion in making this type of legislative decisions.

He said whether or not the Board should require 5 acre lots is a policy decision, but it does have a particular legal component. Over the years the Board has probably heard folks talk about governmental takings. Clearly, if Catawba County completely takes over a landowner's property, for example, to build a landfill, the County has to pay for that property. The County has "taken" the property. Questions arise as to lesser intrusions. In this instance, Attorney Eades said he did not believe requiring 5 acres rises to the level of a taking. In other words, he believes the Board has the legal authority, if the Board believes the policy is appropriate, to adopt this component of the Small Area Plan. Mr. Eades further noted, however, that the 5 acre requirement should reflect objective factors related to the overall plan.

Mr. Eades noted the plan recommends the Commissioners lobby the General Assembly for local legislation prohibiting clear cutting. He further noted forestry is exempt from zoning, which is why the Small Area Planning Committee suggested the County lobby the General Assembly for legislation prohibiting clear cutting. Mr. Eades legal opinion is that such legislation would constitute an illegal taking and would not survive a legal challenge. The state already has in place a comprehensive regulatory scheme regarding Forestry Management, including sedimentation control. Given that, it is difficult to see how a blanket prohibition on clear cutting is meant to serve more than aesthetic concerns.

Chairman Ikerd asked if the Board could adopt any or all of plan at this meeting or if they could adopt a majority and pull one or more items out.

County Attorney Eades answered yes.

Commissioner Barnes recommended to take under advisement to continue to review as they work on the ordinances.

Mr. Eades recommended the Board take the plan under consideration and adopt it at some future date. If the Board did that and made significant changes, it would need to hold a second public hearing.

Chairman Ikerd opened the public hearing by saying this was the time and place as advertised for the public hearing and asked if anyone wished to speak either for or against.

Mr. Evertte Houston said he owns 106 acres of land above the 1,100 elevation and to restrict to 5 acres isn't right. Five acres of land is too many acres to maintain a home. He has always heard that water that runs through land is the best filter for water. He said he has owned the land since 1956 and a Mr. Swanson was in Forestry in Catawba County worked with Mr. Houston and they planted trees. Mr. Houston said he built one small cabin. He asked the Commissioners if they owned land on the mountain if they would restrict it to 5 acres. He said the Mountain View Small Area Planning Committee had done a lot of work on the plan and he thanked them for their work.

Ms. Carolyn Miller, Zion Church Road, and she is in a proposed low density residential area and they have a subdivision in that area that has approximate 46 lots with one-half acre minimum lot size. She asked since they were in the preliminary stages of expanding the development they would like to continue to develop on the half-acre as opposed to 2 acres.

Mr. Eades asked Ms. Miller if she had submitted anything to the County on the proposal.

Ms. Miller said no they were just surveying.

Mr. Eades said the existing lots are grand fathered but the expansion is a different question.

Ms. George said if they don't have any preliminary approval, they would have to go under the current ordinance which requires 2 acres if there is no public water or the required school capacity. Ms. George recommended that Ms. Miller talk with County Planners.

Mr. Tom Long, Long Family Partnership, said he feels like the requirement is too low for the 1100 feet contour. He said the entire ridge in downtown Hickory is sitting on 1150 feet. He feels the 5 acres lot size requirement is large and the reason behind that is trying to get water and/or well and septic tank on the same lot. He said tonight the Board approved water to the foothill of the mountain at an earlier public hearing at this meeting. He said it is feasible to bring water to the mountain at that point. He said the best course of action would be to stay with the 2 acre lot and let physics and the terrain of the mountain dictate the lot size. He doesn't like clear cutting and said it needs to be thinned out because there was significant damage from Hugo and he is concerned about forest fires. He said they originally sold property to Catawba County and put restrictive covenants in the 16 acres they hold. They have legitimate business and expect county to honor what they agreed to at the time they sold the property. He was concerned that the Small Area Planning committee wants to preserve the mountain. Those who say that do not own property on the mountain. They bought their property in the mid 40s and have been good neighbors to the County. He asked that they look at the 5 acres requirements and let the 2 acre lot size stand and physics will dictate the lot size.

Mr. Mike Weaver, lives in the Propst Crossroads community, asked a two-part question. Why was Propst Crossroads involved in the Mountain View Small Area Plan and was anyone from his community invited to serve on the committee?

Ms. George said the county is divided into seven small area plans regions and the boundaries had to be made and the Propst Crossroads is a natural boundary that relates to Mountain View. The other two areas near Propst Crossroads would be Vale and Plateau areas. She said Mr. Larry Johnson who lives on Highway 127 south in the Kingsway Subdivision served on the committee.

Mr. Tracy Warlick, lives in Plaza Ridge Subdivision in Mountain View, said he came originally to speak on behalf of the Homebuilders Association and decided to speak on his own behalf. He said his family has been in the Vale area for 200 plus years. He said when the smart growth plan came out two years ago he became vocal. He found some interesting facts on the Internet. He pulled up the Census data from 1990 to 2000 and found the state of North Carolina grew at 21.4 percent, Catawba County grew at 19.7 percent, Caldwell County grew by 9.5 percent, Alexander County - 22 percent, Burke - 17.7 percent, Lincoln - 26.8 percent, and Iredell 32 percent. Most of our neighbors considered small counties actually grew faster than Catawba County. The larger counties growing more than Catawba was Mecklenburg County - 36 percent, Wake - 48 percent, Cabarrus - 32 percent and Union grew at 46.9 percent. He said he sat on the advisory committee for school facility needs and the main reason our high schools were so crowded they went over capacity in 1991. Fred T. Foard High School is 50 years old and St. Stephens is 40 years old. He said the advisory committee recommended a school bond referendum be sought immediately and due to the economic downturn it was decided that now is not the time and he looked at this as an economic development standpoint and he feels it is a real mess. He said what we need right now is a big employer. He said he is in the real estate business and he has talked to industrial clients which is not the main thing, the main thing is residential. He said we don't have schools and we have the highest housing costs in the state. He said there was talk the County tends to recruit high investment, low employment companies. He said the county needs large employers. Mr. Warlick said he has built three subdivisions in Catawba County in the last 3 years and has a town house project starting and the problem facing him in housing is the price for land which now cost \$15,000 to \$20,000 per acre for subdivisions.

Chairman Ikerd asked Mr. Warlick to speak only about the public hearing subject, Mountain View Small Area Plan.

Mr. Warlick said he is pricing lots at \$30,000 minimum. He said the alternative is to go further out in the County and the land further out is not for sale and will not be for sale. He said the other major planning issue is Highway 321 and Interstate 40, two major thoroughfares for this county which is where you want major activity. He said a major portion of property within a mile from Highway 321 the county is requiring a 2 acre minimum which will mandate sprawl.

Chairman Ikerd said this was voted in without water and sewer years ago.

Mr. Warlick said that makes it permanent.

Chairman Ikerd briefly discussed the school bond failure. He said the people turned down the school bond referendum and they are the ones who set the price and choice for schools.

Mr. Warlick said only a small percentage voted.

Chairman Ikerd said the law says whoever votes, the majority wins.

Mr. Warlick said the Board has the authority to increase property taxes and take the heat for doing that. He would like to see the Board appropriate the funds and let the citizens decide to fund with taxes or bonds to build schools.

Chairman Ikerd asked Mr. Warlick to please speak on the subject of the Small Area Plan.

Mr. Warlick said the 2 acre plan will create sprawl.

Commissioner Barnes asked if 321 Corridor is within the boundaries.

Mr. Warlick said barely.

Mr. Richard Flowe, 8440 Mooresville Road, Concord, NC, spoke on behalf of ALC -- he distributed a memorandum and requested it be made part of record.

He asked Legal Counsel about issues that constitute within the plan.

Attorney Eades said yes there will have to be a zoning ordinance adopted later on.

Mr. Flowe said he would like to formally request that they receive a mail notification of future hearings and actions on the plan.

Commissioner Barnes said in reference to memo submitted for the record would be (Mr. Flowe) elaborate on the Catawba Parkway.

Mr. Flowe said the current property owners have talked about a roadway on the mountain and they are trying to encourage them to be environmentally sensitive. He said they want things done in a compatible way for the best interest of property owner and public concerns. He said in summary there is a number of inconsistencies for staff to look and do comparisons and clarify points.

The following is the memorandum Mr. Flowe requested to become part of the record:

"N - FOCUS LLC, LAND PLANNING & DEVELOPMENT, "Working with the site, not against it!"

Post Office Box 644 Denver, NC 28037  
Tel: 704.363.7288 Fax: 704.483.2159

8440 Mooresville Road Concord, NC 28027  
Tel: 704.793.7205 Fax: 704.784.1219

To: Catawba County Commissioners  
From: F. Richard Flowe, AICP  
Date: August 19, 2002  
Re: Mountain View Small Area Plan (MVSAP) Public Hearing

The following comments are hereby offered for consideration and input on the MVSAP:

1. The Mountain View Community in the MVSAP assumes Baker Mountain an asset.
2. The County has its portion of the mountain established into a park with picnic and hiking improvements.
3. Rapid growth of the area during the 90's resulted in the request to protect the view. Opposition to residential development by residents is double standard, since the mountain is a claimed asset by individuals who are in fact developing environmentally sensitive land at a much faster pace than the owners of the mountain.

4. Study area grew at 23.5% population growth during the 90's while the County overall grew 19.7% during the same period. Greater than 8% growth in overall County increase occurred in the study area. While per household population declined above others.
5. Net migration is very high by comparison to other areas, indications of interest in the area due to the view, reinforces assumption of community asset.
6. MVSAP indicates high numbers of above average income professionals migrating out of County to work. Indications of high value placed in the scenic area of the mountain.
7. Map 5 indicates ALC owned tracts as "Low Density District" while Map 6 indicates no "Future Landuse (sic) Recommendations" for the tracts nor the majority of the study area.
8. Recommendations regarding Open Space, page 20, indicate preservation of the land "around" Baker Mountain while appearing on page 17 the MVSAP establishes as its Guiding Principals for Open Space to "Protect Baker Mountain from undesired development" and to "Protect scenic vistas". Indications of a policy recommendation aiming to guide high quality development toward the mountain with limited development around the mountain to protect the views from the higher elevations.
9. Over 3/4 of the land area above the 1100 ft contour is open space (see Map 3) yet only 1/3 the area above 1100 feet is shown in the proposed Mountain Protection district, page 21 (also see Map 7), which consists primarily of the tracts making up Bakers Mountain. Furthermore, the two largest tracts making up the mountain itself are included in the district even though significant portions of the tracts continue below the 1100 contour line. One property owner owns over half of the total land area proposed for inclusion within the district.
10. Open Space tracts located adjacent to the ALC tracts and having a vast majority of their land area above the 1100 contour line are not included within the proposed district. Some of these tracts are also adjacent to existing subdivisions with stub-outs for future roads, presumably for further development in the area of the mountain.
11. The Transportation section contains, under "Plan Recommendations", a Pedestrian System, page 27, and Bicycle System, page 28, recommendation to establish a greenway accessing Baker Mountain. This concept will increase the level of activity on the mountain by improving access to the mountain. The owner assumes the access for the greenway will be through County owned property.
12. The Community Facilities and Public Services section contains numerous recommendations for the expansion of schools, parks and other public facilities and infrastructure in the vicinity of the mountain. The recommendations encourage the continued development of the area into an urban-like density. This density will maintain a level of pressure to develop open space to meet the demands of growth.
13. The Housing section contains, under "Plan Recommendations", a zoning change (see Map 9) for a portion of the proposed Mountain Protection district to be rezoned to R-I, eliminating manufactured housing from the list of potential uses, which is very reassuring for ALC.
14. The Natural Resources section contains, under "Plan Recommendations", that both a moratorium on development on the mountain and standards setting forth large lot requirements be adopted with a sense of haste, in lieu of the existing Mountain Protection District standards incorporated into the zoning ordinance. This policy would constitute a taking since no immediate threat to the public would exist; furthermore, actions such as suggested would only further the pattern of sprawl evident in the Mountain View area. Policies which would enable and support the reduction in the number of overall road miles constructed and enabling the concentration of permitted densities into smaller lots with protective buffers and flexible development strategies to create a desirable blend of nature with the built environment. These policies, much like those found in Seaside, FL where strict limits on clearing on individual lots, adequate public open space, and blended architectural designs establish compatibility between natural and built environments.
15. The section mentioned in number 14 above also encourages the purchase of additional properties on the mountain for expansion of the existing park. Given the limited fiscal resources of local governments at this time, it would be prudent to await the completion of the conceptual plans for the mountain to determine whether or not permanent open space proposed for the mountain will meet the needs of the public.
16. Prohibiting the clear cutting of large tracts of property should be structured to be fair and impartial to land owners in all areas of the MVSAP area, due to the importance of views at both lower and higher elevations.

ALC does not desire to accelerate the development concepts it is considering just to preempt further regulation; however, does desire to continue to actively draft a conceptual plan to access the mountain in environmentally friendly ways through its' "Catawba Parkway" concept establishing a linear park. Although much like the Blue Ridge Parkway, the Catawba Parkway includes overlooks designed to provide public places, yet private space for the establishment of blended estates, panoramic lodges and clustered mountain enclaves to permit others the quiet enjoyment of the vistas and majesty of the Blue Ridge Mountains, as seen from Catawba County. "Working with the site, not against it" is the motto of the firm hired to address the mountain's future development concept plan, an effort aimed at cooperative planning and development to meet the scenic concerns of the community surrounding the mountain while satisfying the objectives of the owner's desire to create a special place with a view.

The development of small isolated mountains adjacent to significant urban areas has occurred in many other instances; however, not all have been beneficial to the public at large. \_\_\_\_\_ Mountain in Greenville, SC and Signal Mountain in Chattanooga, TN are both examples of small isolated mountains that have become very desirable destinations for homeownership while retaining the scenic character of the environment. Our goal is to design a plan to meet the communities stated values for environmental protection and preservation, while creating opportunities for quality, environmentally friendly sites for homeowners to enjoy for generations."

Mr. Dent Allison speaking on behalf of his company, Shook Builders Supply, said his company has developed in five counties and has 360 lots under development in the five counties. He has concerns of the North Carolina Homebuilders with the one house per 2 acre lot and has presented a problem from conception with the school capacity. He said it is brought on by the lack of government planning. He said it is not a housing problem but a job related problem. The 2 acre is rather aggressive and creates urban sprawl. He said it is pinching off affordable housing in the area and doing a gross service and this will only contribute to the most expensive housing in state. We are currently ranked second or third as the most expensive. We are in an economic downturn.

Mr. Allison said in the presentation under water services included in the proposal is preserve world character by controlling density whether water and sewer services are available and he asked if that was part of the proposal.

Attorney Eades said yes, in the low density area they would retain the 2 acre lot size.

Ms. George said there is no sewer but public water down Highway 127.

Mr. Allison said we need a tax base for having one house for every 2 acres and he doesn't think it is applicable. He is in favor of taking this part out of the plan.

There being no one else wishing to speak, Chairman Ikerd closed the public hearing.

Commissioner Beatty said the Commissioners have heard a lot of information that needs some tweaking.

Commissioner Huffman said staff needs to sit down with Legal Counsel.

Commissioner Barnes said there have been issues raised that she would like to work on with planning staff. For issues that have long-term impacts and large concept she concurs with what the committee has brought forth.

Commissioner Hunsucker agrees with what has been said and he has issues that needs to be worked out.

Chairman Ikerd asked what direction to give the committee and staff.

Attorney Eades suggested that staff work on the raised issues from comments heard in the public hearing and the issues Mr. Eades raised. He said the Board is doing what it should be doing, deliberating about the plan. He thinks this is a good way to address the small area plans. He did not recommend that the Board address the issues point by point at tonight's meeting.

Commissioner Barnes said one of the issues is this is the first time a plan of this magnitude has been brought to the Board and she is not sure of some of the impact and feels the need to move slowly. She said that everyone underestimated the amount of work and time that has gone into this plan.

Chairman Ikerd said one of the concerns is Bakers Mountain.

County Manager J. Thomas Lundy said it was his understanding that the Board did not wish to take any action at this meeting but to direct staff to look at the issues, give the board more time to digest the issues, and bring them back at a later date to consider public action.

Attorney Eades recommended that the Board not at this time specify a date for further reconsideration. He said he agreed with Commissioner Barnes that this was a learning experience.

County Manager Lundy said staff will come back with alternatives including Attorney Eades' reaction.

Attorney Eades said there would not need to be another public hearing on the Mountain View Small Area Plan, unless there were significant changes made to the plan.

Commissioner Barnes said she would be in favor of another public hearing if the changes were large.

No action was taken on the Mountain View Small Area Plan.

7. Special guests not listed on agenda. None.

8. Appointments:

**Catawba Small Area Planning Committee:**

Commissioner Beatty recommended the following appointments to the Catawba Small Area Planning Committee:

J.V. Huffman, Jr.	Chair
Charles Connor, III	Planning Board liaison
Trent Cloninger	Town of Catawba representative
Dean McGinnis	City of Claremont representative
Chris Niver	City of Conover representative
Glenn Pattishall	City of Newton representative
Rick Young	
Margaret Garrison	
Jerry Setzer	
Lanny Hartsoe	
Linda Moose	

**City of Conover Zoning Board of Adjustment:**

Commissioner Huffman recommended the reappointments of Ray Hildebran for a second, 3-year term and Harvey Lee Sipe for a first, 3-year term. The terms will expire June 30, 2005.

**Region E Development Corporation:**

Commissioner Huffman recommended the reappointments of Joab Cotton, III, for a sixth, 3-year term and W. C. "Corky" Upchurch for a fourth, 3-year term. She recommended the appointment of Rodney N. Miller for a first, 3-year term to replace Michael S. Talbert (term commensurate with position of Finance Director). All terms expire September 30, 2005.

Commissioner Beatty made a motion to approve the aforementioned appointments. The motion carried unanimously.

9. Consent agenda:

County Manager J. Thomas Lundy presented the following consent agenda items:

- a. Balls Creek Elementary School Wastewater Budget Ordinance and Agreement with Western Piedmont Council of Governments. (Copy of Agreement on file in the Office of Utilities and Engineering Director.)

Mr. Lundy said the Public Works Subcommittee recommended that the Board of Commissioners approve the following: a) The State required project budget ordinance; and, b) agreement with the Western Piedmont Council of Governments for grant administration to provide wastewater service to serve Balls Creek Elementary School and surrounding area.

The Board of Commissioners approved a contract with the City of Newton on July 8, 2002, to provide the wastewater service for this project. The project consists of approximately 23,679 feet of gravity and pressure sewer mains at an estimated cost of \$1,200,000. A budget ordinance is required for all Clean Water Bond Grant projects in order to receive grant reimbursements. A memorandum from Leah Martin, Project Administrator, WPCOG, is included which explains in further detail the funding for



the project and the WPCOG administration contract. Due to staff restraints, WPCOG assistance is needed to ensure grant compliance.

Appropriations	
230-170020-995415	\$1,200,000
To Water and Sewer Construction	
415-431100-861500-22010	\$974,991
CWB Balls Creek Elementary Sewer-Construction	
415-431100-849114-22010	\$151,100
CWB Balls Creek Elementary Sewer-Engineering	
415-431100-849117-22010	\$20,000
CWB Balls Creek Elementary Sewer-Administration	
415-431100-987000-22010	\$7,000
CWB Balls Creek Elementary Sewer-Land Acquisition	
415-431100-856900-22010	\$46,909
CWB Balls Creek Elementary Sewer-Easements	
Revenues	
415-430050-695230	\$1,200,000
From Water and Sewer Reserve	
415-430050-630950	\$1,200,000
Clean Water Bond Funds	

**ORDINANCE NO. 2002-08**  
**Balls Creek Elementary School**  
**NC Clean Water Bond Grant**  
**Wastewater Project**  
**Capital Project Ordinance**

Be it ordained by the Catawba County Board of Commissioners that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following project ordinance is hereby adopted.

Section 1. The project authorized is the Balls Creek School NC Clean Water Bond project to be financed by 1999 NC Clean Water Bond Funds.

Section 2. The officers of this unit are hereby directed to proceed with the capital project within the terms of the grant documents and the budget contained herein.

Section 3. The following revenues are anticipated to be available to contribute to this project:

NC Clean Water Bond	\$ 1,200,000
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Section 4. The following amounts are appropriated for the project:

Construction	\$ 974,991
Engineering & Design	151,100
Administration	20,000
Land Acquisition	7,000
Other Professional Services- Easements	<u>46,909</u>
	\$ 1,200,000

Section 5. The finance officer is hereby directed to maintain within the Project Fund sufficient specific detailed accounting records to satisfy the requirements of the grantor agency, the grant agreements, and federal and state regulations.

Section 6. Funds may be advanced from the Water and Sewer Reserve Fund for the purpose of making payments as due. Reimbursement request should be made to the grantor agency in an orderly and timely manner.

Section 7. The Budget Officer is directed to include a detailed analysis of past and future costs

and revenues on this grant project in each budget submission bade to this Board.

Section 8. Copies of this grant project ordinance shall be furnished to the Clerk to the Board of County Commissioners, and to the Budget Officer and the Finance Director for direction in carrying out this project.

Adopted this 19<sup>th</sup> day of August 2002.

/s/ W. Steve Ikerd, Chairman  
Catawba County Board of Commissioners

/s/ Thelda B. Rhoney, Clerk

b. Family Guidance Center Lease. (Copy of lease on file in the Office of Facilities Director.)

Mr. Lundy said the Family Guidance Center is a non-profit multi-services United Way agency that provides a range of specialized services to families in Catawba County. Services are aimed at dealing with specific problems that erode and undermine the stability of families. The agency has occupied the old Public Health facility on Highway 70 for over 15 years. The old lease expired years ago and the County has allowed the Family Guidance Center to stay there rent-free. The Family Guidance Center wishes to stay at this location. Family Guidance, at their expense, added a mobile addition to the existing building in 1991. Catawba County does not have an immediate or long-term need for the old Public Health Facility. The old building was constructed in 1960, on a 1.99 acre site, has 5,688 square feet, and has a tax value of \$439,600. Family Guidance clearly provides complimentary services to Public Health, Mental Health, and Social Services. Their Family and Individual Counseling Services are similar to Mental Health's Counseling Services, but provide their services to a different population. All of the other services provided are unique to Family Guidance and provide a valuable service to the community. Family Guidance gets referrals from all three DHR Departments, with client's referrals to their Domestic Violence Services being the most utilized. Based on the services provided by Family Guidance to the community, their rent should be at a reduced rate. The options explored were selling the building to Family Guidance or a long-term lease at a reduced rental rate. With the state of the local economy and United Way contributions down, the only option left to consider is a lease for \$1 per year. Attached is a one-year lease agreement for \$1 dollar per year and Family Guidance has agreed to the terms. The Public Works Subcommittee recommended that the Board of Commissioners approve a one-year lease agreement with the Family Guidance Center, for 1.99 acres of land located at 17 Highway 70, in Hickory, North Carolina, and authorize the County Manager to execute the attached lease.

c. Hickory Public Schools - Cline property.

Mr. Lundy said on April 2, 2001, the Board of Commissioners approved funds for the purchase of property for Middle School "B." The future school site is 23.29 acres from six different property owners and the purchase price was estimated to be \$406,220, having a tax value of \$321,000. Four parcels are being acquired through condemnation. The Cline property was appraised at \$154,560 when condemnation was filed on March 26, 2001. The Cline's have an appraisal of \$194,205. Through mediation, an agreement has been reach to pay \$175,000 for the property, this will be approved by the Hickory Board of Education on August 12, 2002. An additional \$20,440 will be needed to close on the property. The purchase of the 11.02-acre Cline property will leave only two parcels, 2.86-acre Berry property and 2.63-acre Blake Foundation property, yet to be settled. Mediation for the remaining two parcels is scheduled for the fall of 2002. The funds to purchase land for Middle School "B" came from unspent funds in the College Park Renovations project in the School Bond Fund. The additional \$20,440 will also come from the unspent funds in the College Park Renovations project. The College Park Renovations project has an unspent balance of \$936,962. The purchase price specified in said agreement, \$154,560, is hereby increased to \$175,000 to reflect increases in property value. The Public Works Subcommittee recommended that the Board of Commissioners authorize a transfer of \$20,440 from the College Park Renovation project to complete the purchase of an 11.04-acre tract for the future construction of middle School "B."

Transfers:

From:

427-750100-865300-32102-3-01

College Park Renovations

\$20,440

To:  
427-750100-865300-32111-1-01                      Middle School "B"                      \$20,440

- d. Acceptance of capital grant from North Carolina Department of Transportation, Project Number 03-SC-002. (Copy of grant agreement on file in the Piedmont Wagon office.)

Mr. Lundy said the Piedmont Wagon staff recommended that the Board of Commissioners accept a grant from the North Carolina Department of Transportation (NCDOT), Project Number 03-SC-002, in the amount of \$68,522. The capital grant application from NCDOT is for \$68,522 for the purchase of two van conversions to act as spare vehicles for the community transportation program, office furniture for community transportation staff, and for the purchase of a television and VCR for driver training. The Board of Commissioners held a public hearing at its November 19, 2001, meeting and approved that the grant application be submitted to NCDOT. The funding for the project will be 90 percent NCDOT or \$61,669 and 10 percent local funds or \$6,853. The local matching funds will be paid from the Human Services Retained Earnings Fund administered by the City of Hickory. Monies in the Retained Earnings Fund account are unexpended funds allocated by Catawba County for transportation services in prior years. Retained Earning Funds are requested by the Transportation Advisory Board and approved by the Board of Commissioners.

- e. Acceptance of technology grant from North Carolina Department of Transportation, Project Number 03-AT-004. (Copy of grant agreement on file in the Piedmont Wagon office.)

Mr. Lundy said the Piedmont Wagon staff recommended that the Board of Commissioners accept a grant from the North Carolina Department of Transportation (NCDOT), Project Number 03-AT-004, in the amount of \$5,900. The technology grant application from NCDOT is for \$5,900 for the purchase of two computers and three printers to replace existing but outdated equipment now being used by the transportation program. A public hearing was held by the Board of Commissioners at its November 19, 2001, meeting and the Board approved a grant application be submitted to NCDOT. The funding for the project will be 90 percent NCDOT or \$5,310 and 10 percent local funds or \$590. The local matching funds will be paid from the Human Services Retained Earnings Fund administered by the City of Hickory. Monies in the Retained Earnings Fund account are unexpended funds allocated by Catawba County for transportation services in prior years. Retained Earning Funds are requested by the Transportation Advisory Board and approved by the Board of Commissioners.

Commissioner Hunsucker made a motion to approve the aforementioned consent agenda items. The motion carried unanimously.

#### **End Consent**

10. Departmental Reports:

a. Emergency Services:

1. Update on Planning, Training and Resources for Homeland Security.

Emergency Services Director Charles E. Moody, Jr., gave a PowerPoint presentation that provided an overview of planning, training and resources for Homeland Security. The first major impact was a grant to CVCC for emergency decontamination training of 350 Catawba County Firefighters. This was followed by specialized training of Emergency Services Personnel, including law enforcement, at the U.S. Department of Justice, Center for Domestic Preparedness, at Fort McClellan, Alabama. Additional courses continue to be provided and emergency personnel are encouraged to participate to further advance their knowledge.

In 1996 the Board of Commissioners adopted the Emergency Materials Ordinance which has been a front line of training for emergency services personnel. Currently, 27 firefighters, paramedics, and law enforcement personnel have received training to be part of the front line on the Hazmat Team to deal with biological and/or chemicals in an emergency, whether it is accidental or intentional.

Our Local Emergency Planning Committee is composed of a wide variety of members, including the private sector, governmental, and media personnel. Benefits from this group

include planning and working with companies in Catawba County that house and use extremely hazardous chemicals on a daily basis.

What is our direction and where do we go at this point? We have completed assessments of facilities that use and house extremely hazardous materials, potential targets and areas of concern in Catawba County that have been outlined by state and federal agencies. This process included Catawba County Emergency Management in conjunction with the Catawba County Sheriff's Department, North Carolina Highway Patrol, State Office of Emergency Management, and Catawba County Public Health.

The County has received a small amount of funding to develop a basic plan for Weapons of Mass Destruction. It is the intent to follow the national standard and turn the county's plans into a Homeland Multi-Hazard plan, much like our existing Multi-Hazard Plan that addresses different types of events from winter storms, tornados, hurricanes, etc.

The first group of equipment funding will be available to Catawba County in October/November of 2002. The funds will be small as the state completes other resources that will be available to local governments.

The overall goal was to assess all emergency service agencies, including law enforcement, in all jurisdictions in Catawba County, develop an overall recommendation to our Local Emergency Planning Committee, and to move forward with acquisition and training of equipment. The assessment of needs has been completed and the recommendations have been received from all agencies involved (Law Enforcement, Cities & County, Hospitals, Public Health, Fire, EMS, and Hazmat). The determination is that the capability of detection of unknown sources should be our number one priority, followed by the capability of having properly trained and equipped personnel to enter such environments. This would be followed by capability of decontamination equipment, Proper Personal Protective Equipment (PPE), for individuals and mass decontaminations for all emergency personnel including law enforcement.

The North Carolina Department of Crime Control & Public Safety Secretary Bryan Beatty and the North Carolina Office of Emergency Management recommended that the county establish a single contact agency for these grants. The grants will be funded and processed through the North Carolina Office of Emergency Management. The county has received three small grants which were utilized in planning and assessing facilities with extremely hazardous materials. Staff anticipates funding to allow for some detection equipment and Personal Protective Equipment for the Hazmat Team on the first funding source.

Additional funds being made available in December 2002 or January 2003 will offer the capability of providing additional resources for protecting the citizens of Catawba County. These funds can be used to purchase equipment for entry, testing and decontamination.

An issue the grants do not support is housing of equipment for security and movement of the equipment to the scene. The recent changes in 2002 allow for the purchase of trailers to haul equipment, but does not fund a towing source such as a vehicle that would meet the weight requirement to tow such units.

Mr. Moody said they continue to plan and update the plans and procedures in order to meet the federal requirements for funds and to receive funds that may lead to additional areas of concern such as security of buildings and enhancement or construction of Emergency Operations Center.

Chairman Ikerd thanked Mr. Moody for the update.

11. Attorneys' Report. None.
12. Manager's Report:

- a. Resolution in Support of the Catawba County Citizens Advisory Committee for School Facilities.

Mr. Lundy introduced the following resolution

**RESOLUTION NO. 2002-18**  
**in**  
**Support of the Catawba County**  
**Citizens Advisory Committee for School Facilities**

WHEREAS, in February 2002 the Catawba County Board of Commissioners, the Boards of Education of Catawba County Schools, Hickory Public Schools, and Newton-Conover City Schools, and the Board of Trustees of Catawba Valley Community College jointly appointed a Citizens Advisory Committee for School Facilities Needs; and

WHEREAS, this Committee's membership was comprised of citizens selected and approved by all five Boards; and

WHEREAS, this Committee was given a charge to consider information provided by the Catawba County government, the three school systems, and CVCC, and from that information to formulate an assessment of the facility needs of the public school systems and the community college in this county; and to assess strategies for providing the resources to meet these needs; and

WHEREAS, this Committee has publicly reported to all Boards their findings and suggestions.

NOW, THEREFORE, BE IT RESOLVED that the Catawba County Board of Commissioners supports the findings of the Catawba County Citizens Advisory Committee for School Facilities and pledges to support measures to insure that facility needs of public education in Catawba County are met.

Adopted this 19th day of August, 2002.

/s/ W. Steve Ikerd, Chairman  
Catawba County Board of Commissioners

Attest:

/s/ County Clerk

Commissioner Huffman made a motion to adopt the Resolution in support of the Catawba County Citizens Advisory Committee for School Facilities. The motion carried unanimously.

- b. Additional Breast and Cervical Cancer Funds.

Mr. Lundy said the Public Health Director and the Board of Health respectfully request that the Board of Commissioners approve the acceptance \$10,000 allocation from the Breast and Cervical Cancer Control Program (BCCCP) awarded to the agency. The Catawba County Health Department was contacted by State BCCCP staff and informed that Burke County would no longer be participating in BCCCP; and the staff requested that our agency make available BCCCP services to an additional 60 eligible women in exchange for a portion of Burke County's BCCCP allocated funds. The women served could be residents of either Catawba or Burke County. State BCCCP staff would conduct outreach to recruit additional participants from Burke County. If these attempts fail, our staff would then give additional appointments to Catawba County residents. The additional \$10,000 being awarded to our department is to assist in costs associated with BCCCP services, such as mammograms, biopsies, and follow-up procedures. The additional allocation will increase our total grant from \$23,796 to \$33,796. The Catawba County Board of Health has reviewed this request and recommended that the Health Director seek approval from the Board of Commissioners to accept the funds.

Supplemental Appropriations	
580400-638670 Breast Cancer Grant	\$10,000
580400-857900 Other Contract Services	\$10,000

Commissioner Barnes made a motion to approve the request for additional Breast and Cervical Cancer Funds. The motion carried unanimously.

13. Other items of business. None.

14. Adjournment.

At 9:40 p.m., there being no further business to come before the Board, Chairman Hunsucker made a motion to adjourn. The motion carried unanimously.

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W. Steve Ikerd, Chairman  
Catawba County Board of Commissioners

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Thelda B. Rhoney  
County Clerk